

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yaakov Naparstek
Serial No. : 09/826,069
Filed : April 4, 2001
For : PEPTIDES FOR THE TREATMENT OF SYSTEMIC LUPUS
ERYTHEMATOSUS AND METHODS OF TREATING
SYSTEMIC LUPUS ERYTHEMATOSUS



1185 Avenue of the Americas
New York, New York 10036
April 21, 2003

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

STATEMENT IN ACCORDANCE WITH 37 C.F.R. §1.821(g)

In accordance with 37 C.F.R. § 1.821(g), I hereby certify that the computer readable form (CFR) containing the nucleic acid and/or amino acid sequences required by 37 C.F.R § 1.821(g) and submitted herewith includes no new matter and has the same information as the "Sequence Listing", attached hereto as **Exhibit C**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Christine S. Nickles

Christine S. Nickles
c/o Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

0300



Docket No. 56040-B/JPW/GJG/CSN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yaakov Naparstek
Serial No. : 09/826,069
Filed : April 4, 2001
For : PEPTIDES FOR THE TREATMENT OF SYSTEMIC LUPUS
ERYTHEMATOSUS AND METHODS OF TREATING
SYSTEMIC LUPUS ERYTHEMATOSUS

1185 Avenue of the Americas
New York, New York 10036
April 21, 2003

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

ATTN: Box Sequence

Sir:

**COMMUNICATION IN RESPONSE TO MARCH 18, 2003 NOTICE TO COMPLY
WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

This Communication is submitted in response to a March 18, 2003 Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the March 18, 2003 Notice is due May 18, 2003. Therefore, this Communication is being timely filed.

The Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures indicates that the application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825. Applicant attaches hereto a copy of the Notice as **Exhibit A**. Specifically, the Notice advises that the computer readable form (CFR) copy of the "Sequence Listing" has been found to be damaged and/or unreadable.

Applicant : Yaakov Naparstek
Serial No. : 09/826,069
Filed : April 4, 2001
Page : 2

and that a substitute computer readable form (CFR) copy of the "Sequence Listing" must be submitted, as required by 37 C.F.R. § 1.825(d). The Notice also advises that applicant must submit a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and includes no new matter, as required by 37 C.F.R. § 1.821(g).

In response, applicant submits as **Exhibit B** hereto a paper copy of the "Sequence Listing". Applicant also encloses a computer readable (CFR) copy of the "Sequence Listing". Applicant submits **Exhibit C** hereto a Statement in Accordance with 37 C.F.R. § 1.821(g), certifying that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and includes no new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone the number provided below.

If a fee is deemed necessary in connection with the filing of this communication. However, if any fee is required, authorization

Applicant : Yaakov Naparstek
Serial No. : 09/826,069
Filed : April 4, 2001
Page : 3

is hereby given to charge the amount of any such fee to Deposit
Account No. 03-3125.

Respectfully submitted,

John P. White

I hereby certify that this
correspondence is being deposited
this date with the U.S. Postal
Service with sufficient postage as
first class mail in an envelope
addressed to: U.S. Patent and
Trademark Office, P.O. Box 2327,
Arlington, VA 22202

John P. White 4/21/03
John P. White Date
Reg. No. 28,678

John P. White
Registration No. 28,678
Attorney for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400